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CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

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CR23-02359 TUC-JCH(JR)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,

vs.

Guillermo Acosta,
Defendant.

No.

INDICTMENT

VIO: 18 U.S.C. § 554(a)
(Smuggling Goods from the United
States)
Count 1

18 U.S.C. §§ 933(a)(2) & (b)
(Felony Receipt of a Firearm)
Count 2

18 U.S.C. §§ 922(g)(1) & 924(a)(8)
(Felon in Possession of a Firearm
and Ammunition)
Count 3

18 U.S.C. § 924(d); 28 U.S.C. §
2461(c); 50 U.S.C. § 4819(d)(1)
(Forfeiture Allegation)

THE GRAND JURY CHARGES:

COUNT 1

On or about November 25, 2023, in the District of Arizona, Defendant GUILLERMO ACOSTA, knowingly attempted to export and send from the United States any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is:

- One (1) Century Arms AK-47 Rifle;

- One (1) U.S. Palms 7.62x39 Magazine; and
- 1,000 Rounds of TELA AMMO 7.62x39 Ammunition.

knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819; Title 15, Code of Federal Regulations, Part 736.2; Title 15, Code of Federal Regulations, Part 774; and Title 15, Code of Federal Regulations, Part 738.

In violation of Title 18, United States Code, Section 554(a).

COUNT 2

On or about November 25, 2023, in the District of Arizona, Defendant GUILLERMO ACOSTA did receive from another person, in or otherwise affecting interstate or foreign commerce, a firearm, to wit:

- One (1) Century Arms AK-47 Rifle;

knowing or having reasonable cause to believe that such receipt would constitute a felony, to wit: Title 18, United States Code, Section 554(a), Smuggling Goods from the United States, and Title 18, United States Code, Section 922(g)(1), Felon in Possession of a Firearm.

In violation of Title 18, United States Code, Section 933(a)(2) & (b).

COUNT 3

On or about November 25, 2023, in the District of Arizona, Defendant GUILLERMO ACOSTA, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, a Century Arms AK-47 Rifle and 1,000 Rounds of TELA AMMO 7.62x39 Ammunition.

In violation of Title 18, United States Code, Section 922(g)(1) and 924(a)(8).

FORFEITURE ALLEGATION

Upon conviction of Count One of the Indictment, the Defendant, GUILLERMO ACOSTA, shall forfeit to the United States: (1) any firearms and ammunition involved in the commission of the offense, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c); (2) any property constituting an item that is exported or intended to be exported, pursuant to Title 50, United States Code, Section 4819(d)(1)(C); and (3) any property used or intended to be used, in any manner, to commit or facilitate the violation pursuant to Title 50, United States Code, Section 4819(d)(1)(A).

Upon conviction of Counts Two and Three of the Indictment, the Defendant, GUILLERMO ACOSTA, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense.

The property to be forfeited includes, but is not limited to:

- One (1) Century Arms AK-47 Rifle, Serial Number SV7141536;
- One (1) U.S. Palms 7.62x39 Magazine; and
- 1,000 Rounds of TELA AMMO 7.62x39 Ammunition.

If any of the property described above, as a result of any act or omission of the defendant: a) cannot be located upon the exercise of due diligence; b) has been transferred or sold to, or deposited with, a third party; c) has been placed beyond the jurisdiction of the court; d) has been substantially diminished in value; or e) has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property, including, but not limited to, all property, both real and personal, owned by the defendant.

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1 All pursuant to Title 18, United States Code, Section 924(d), Title 28, United States
2 Code, Section 2461(c), Title 50, United States Code, Sections 4819(d)(1)(A) and
3 4819(d)(1)(C), and Rule 32.2(a), Federal Rules of Criminal Procedure.

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5 A TRUE BILL

6 /S/
7 FOREPERSON OF THE GRAND JURY
8 Dated: December 20, 2023

8 GARY M. RESTAINO
9 United States Attorney
10 District of Arizona

REDACTED FOR
PUBLIC DISCLOSURE

11 /S/
12 NATHANIEL J. WALTERS
13 Assistant United States Attorney
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